

2016-005757

Klamath County, Oregon

06/02/2016 02:16:53 PM

Fee: \$57.00

RECORDING REQUESTED BY

T.D. SERVICE COMPANY

and when recorded mail to

T.D. SERVICE COMPANY
4000 W. METROPOLITAN DRIVE
SUITE 400
ORANGE, CA 92868

Space above this line for recorder's use

OREGON NOTICE OF DEFAULT AND ELECTION TO SELL



T.S. No: L549068 OR Unit Code: L Loan No: 82050404/SHERMAN
AP #1: R3811-016BO-04000 / R471279
Title #: 160159848

Reference is made to that certain Trust Deed made by DANNY KAY SHERMAN, DORTHA JEWEL SHERMAN as Grantor, to RURAL HOUSING SERVICE OR ITS SUCCESSOR AGENCY as Trustee, in favor of UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING SERVICE OR SUCCESSOR AGENCY, UNITED STATES DEPARTMENT OF AGRICULTURE as Beneficiary.

Dated October 29, 2004, Recorded October 29, 2004 as Instr. No. --- in Book M04 Page 74314-19 of Official Records in the office of the Recorder of KLAMATH County; OREGON and re-recorded January 12, 2005 as Instr. No. --- in Book M05 Page 02370-75 *

covering the following described property situated in said county and state to wit:
LOT 26 IN BLOCK 42, KLAMATH FALLS FOREST ESTATES HIGHWAY 66 UNIT
PLAT NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE
OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.
* DOT RE-RECORDED: 7/12/2005 IN BOOK: M05 PAGE: 53330-35

The street or other common designation if any, of the real property described above is
purported to be:
5942 BRANT AVE., BONANZA, OR 97623

The undersigned Trustee disclaims any liability for any incorrectness of the above street or
other common designation.

The undersigned CHRISTOPHER C. DORR, OSBA # 992526 hereby certifies that no
assignments
of the Trust Deed by the trustee or by the beneficiary and no appointments of a successor
trustee have been made except as recorded in the mortgage records of the county or counties
in which the above described real property is situated. Further, that no action has been
instituted to recover the debt, or any part thereof, now remaining secured by the said Trust
Deed, or, if such action has been instituted, such action has been dismissed, except as
permitted by ORS 86-735 (4).

There is a default by the Grantor or other person owing an obligation, the performance of
which is secured by said Trust Deed, or by their successor in interest, with respect to

provisions therein which authorize sale in the event of default of such provisions. The default for which foreclosure is made is Grantor's failure to pay when due the following sums:

5 PYMTS FROM 02/28/13 TO 06/28/13 @ 630.81	\$3,154.05
17 PYMTS FROM 07/28/13 TO 11/28/14 @ 660.47	\$11,227.99
18 PYMTS FROM 12/28/14 TO 05/28/16 @ 1,065.32	\$19,175.76
TOTAL LATE CHARGES	\$553.80
MISCELLANEOUS FEES	\$5,217.60
Sub-Total of Amounts in Arrears:	\$39,329.20

Together with any default in the payment of recurring obligations as they become due.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following, to wit: Principal \$115,413.71 together with interest as provided in the note or other instrument secured from 01/28/13, plus subsidy recapture in the sum of \$26,686.26 and fees assessed in the amount of \$6,422.48, plus accrued interest due thereon, and such other costs and fees as are due under the note or other instrument secured, and as are provided by statute.

Notice hereby is given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose said Trust Deed by advertisement and sale pursuant to Oregon Revised Statutes Section 86.705 to 86.795 and to cause to be sold at public auction to the highest bidder for cash the interest in the said described property which the Grantor had, or had the power to convey, at the time of the execution by Grantor of the Trust Deed, together with any interest the Grantor or his successors in interest acquired after the execution of the Trust Deed, to satisfy the obligations secured by said Trust Deed and the expenses of the sale, including the compensations of the trustee as provided by law, and the reasonable fees of trustee's attorneys.

Said sale will be held at the hour of 10:00 A.M. in accord with the standard of time established by O.R.S.187.110 on October 11, 2016 at the following place:
INSIDE THE MAIN LOBBY OF THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET KLAMATH FALLS , County of KLAMATH, State of Oregon.

Other than as shown of record, neither the said beneficiary or the said trustee has any actual notice of any person having or claiming to have any lien upon or interest in the real property hereinabove described subsequent to the interest of the trustee in the Trust Deed, or of any successor in interest to the grantor or of any lessee or other person in possession of or occupying the property, except:

NAME AND LAST KNOWN ADDRESS NATURE OF RIGHT, LIEN OR INTEREST

TS #: L549068

Unit Code: L

Loan #: 82050404

Notice is further given that any person named in O.R.S. 86.778 has the right, at any time prior to five days before the trustee conducts the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation of the Trust Deed, and in addition to paying said sums of tendering the performance necessary to cure default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees not exceeding the amounts provided by O.R.S. 86.778.

In construing this notice, the masculine gender includes the feminine and neuter, the singular gender includes the plural, the word "Grantor" includes any successor in interest to the Grantor as well as any other person owing an obligation, the performance, of which is secured by said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

The Beneficiary may be attempting to collect a debt and any information obtained may be used for that purpose.

DATED: May 27, 2016

CHRISTOPHER C. DORR, OSBA #992526

BY: [Signature]
Christopher C. Dorr, Attorney at Law

DIRECT INQUIRIES TO:

T.D. Service Company
Foreclosure Department
4000 W. Metropolitan Drive, Suite 400
Orange, CA 92868
(800) 843-0260

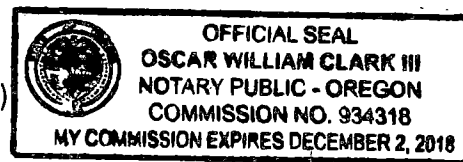
State of Oregon)
County of Multnomah) SS

On 5/27/16 before me, OSCAR W. CLARK, III a Notary Public in and for said County and State personally appeared Christopher C. Dorr, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person or entity upon behalf of which the person acted, executed the instrument.

I certify under penalty of perjury under the Laws of the State of Oregon that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)



After recording, return to:

TD Service Company
4000 W. Metropolitan Dr.
4th Floor
Orange, CA 92868

TS#1549068

**OREGON FORECLOSURE AVOIDANCE PROGRAM
BENEFICIARY EXEMPTION AFFIDAVIT**

Lender/Beneficiary:	United States of America, acting through the State Director for the State of Oregon for USDA Rural Housing Service
Jurisdiction*	State of Oregon

*If Lender/Beneficiary is not a natural person, provide the state or other jurisdiction in which the Lender/Beneficiary is organized.

I, Vicki L. Walker, State Director (printed name) being first duly sworn, depose, and state that: This affidavit is submitted for a claim of exemption to the Office of the Attorney General of Oregon under Oregon Laws 2013, chapter 304, §2(1)(b).

1. The above named individual or entity commenced or caused an affiliate or agent of the individual or entity to commence the following number of actions to foreclose a residential trust deed by advertisement and sale under ORS 86.735 or by suit under ORS 88.010 during the calendar year preceding the date of this affidavit: 40 [not to exceed 175];
2. The undersigned further certifies that she/he: [check only one of the following boxes]
☐ is the individual claiming exemption from requirements established under Or Laws 2013, ch 304, or
☒ is the State Director [insert title] of the entity claiming exemption from requirements established under Or Laws 2013, ch 304, and is authorized by such entity to execute this affidavit on its behalf.

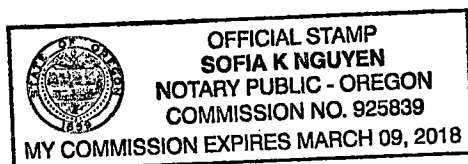
Vicki L. Walker
(Signature)

State of Oregon)

) ss.

County of Multnomah)

Signed and sworn to (or affirmed) before me this 5th day of April, 2016
by Vicki L. Walker, as State Director for the State of Oregon for USDA Rural Housing Service.



Sofia K. Nguyen
Notary Public for Oregon
My commission expires: March 09, 2018